

PRESIDENT: Senator Carpenter

SENATOR CARPENTER: (inaudible) it was my understanding that when we made the formula to begin with, we attempted to allocate back to the districts percentage wise what they had been receiving in the past in relationship to their case-load.

SENATOR STAHLER: That would be, perhaps, possible if you change the legislation reflected but I am told you can't do it in an "A" bill unless you have the legislation itself reflected. In other words, "A" bills are designed to appropriate money per the wording of the legislation. And this...in other words, has wording in it that has no reflection within the legislation, itself. I think, basically, Senator Carpenter, the large percentage of money would probably not be that much different but it just more legality than anything else.

SENATOR CARPENTER: I understand and I agree with you in the philosophy that you are outlining but what are we doing now. I don't recall.

SENATOR STAHLER: As matters now stand, these agen...these six sections of the state put in their budgets and then the Director of OMR has some leeway to give either some more or less money depending upon the needs within that region and, frankly, if he were to follow an exact formula, Omaha would capture about, at least half, if not two-thirds of the money because they are implementing such a big program up there. By gentlemen's agreement, by common consent, the office of OMR is letting more money go out state because that is where the biggest need is and I don't object to that. I, personally, and I think our Study Committee wanted to see these agencies outstate get built up and I think this is where our biggest need is and I agree with it and I am not trying to cause any difficulties there, but I am just...if we let this stand the way it is now, it will hurt some outstate agencies more than others and will help some more than others in the relationship that they have been getting...let us put it this way. If one of the outstate regions, for instance, wasn't doing much and the OMR was trying to help them out, they are going to get benefited most the way this now stands and the ones outstate who are trying to do the most job will get benefited the least. So it is rewarding those that are doing the least...the least, if we let it stand the way it is now and in addition it isn't legal and it would be hurting those who are trying to do the most outstate and I just...I think it is both practically right and I think it is legally right to put this amendment on it and I think it would make a better situation for the office of OMR.

PRESIDENT: Senator Marsh.

SENATOR MARSH: Mr. President, I'd like to ask a question of Senator Stahmer.

PRESIDENT: Senator Stahmer, will you yield to a question?

SENATOR MARSH: Do I understand correctly that "A" bills are designed only to give the money for what has been specifically spelled out in the bill itself.

SENATOR STAHLER: That's my understanding.

SENATOR MARSH: Therefore, what you are trying to do is return this to strike the language which might make this unconstitutional...

SENATOR STAHLER: That's right.